

### **REMARKS**

This Response is filed concurrently with a Request for Continued Examination responsive to an Advisory Action dated December 23, 2004 and in conformance with an interview with the Examiner on January 11, 2005. Claims 1-45 are pending in the application. Claims 1, 17, 18, and 19 have been amended.

Claims 1-5 and 7-45 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Bednarek et al.* (U.S. Patent No. 6,120,500).

Applicant thanks the Examiner for taking time to discuss rejection of the claims under 35 U.S.C. § 102(b). During the January 11, 2005 interview, the Examiner agreed that the asserted reference does not include first and second openings in the distal section of the tubular member allowing movement of the guide member and the stabilizing member outside the tubular support member. Thus, the asserted reference does not include a tubular support member having a distal tip opening allowing movement of the guide member through the distal tip opening and a stabilizing member deployable outside the tubular support member through an opening at the distal section of the elongated shaft of the tubular support member, as recited in claims 1 and 19.

Independent claims 1 and 19, as amended, include limitations that are not taught, inherently or expressly, in *Bednarek et al.* Accordingly, claim 1 and 19 are patentable over *Bednarek et al.*

Previously presented claims 14 and 20 include a first opening in the distal shaft section configured to facilitate advancement of a guide member through the first opening and a second opening in the distal shaft section configured to facilitate advancement of a stabilizing member through the second opening.

Claims 14 and 20 include limitations that the Examiner indicated were not taught by the asserted reference. Claims 14 and 20 are patentable over *Bednarek et al.*

Claims 17 and 18 were objected to under 37 CFR 1.75(c), as being of improper dependent form.

The Applicant has amended claims 17 and 18 to obviate this informality objection. The amendments to claims 17 and 18 have not been made for purposes of patentability, nor do these amendments narrow the scope of claims 17 and 18.

Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Bednarek et al.* (U.S. Patent No. 6,120,500) and further in view of *Sugita et al.* (U.S. Patent No. 4,969,890).

Claim 6 is indirectly dependent on amended claim 1 which includes limitations that overcome the Examiner's previous rejection of claim 1 as discussed above. Thus, claim 6 includes all of the limitations of patentable claim 1, in addition to other limitations, and is patentable over the combination of *Bednarek et al.* and *Sugita et al.*

Because claims 2-13, 15-16, and 21-45 depend directly or indirectly on independent claims 1, 14, 17, 18, 19 or 20 and include all of the features of the independent claims upon which they depend as well as additional features, Applicant submits that dependent claims 2-13, 15-16 and 21-45 are also patentable over the asserted references.

In view of these amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the objections and rejections to the claims.

The Examiner is invited to contact Applicant's Representatives, at the below-listed telephone number, if there are any questions regarding this Response, or if prosecution of this application may be assisted thereby.

CRAWFORD MAUNU PLLC  
1270 Northland Drive, Suite 390  
St. Paul, MN 55120  
(651) 686-6633 X111

Respectfully submitted,

By: Clara Davis  
Name: Clara Davis  
Reg. No.: 50,495